

**Special Magistrate Code Enforcement Minutes
July 7, 2009**

The one hundred and fourth regularly scheduled meeting of the Special Magistrate was held on July 7, 2009, (the June 2, 2009 meeting was cancelled) in the City Hall Commission Chamber. The meeting began at 2:00 p.m., with the Special Magistrate noting that the Minutes of the May 5, 2009 meeting had been read and approved.

Present: Archie O. Lowry, Jr., Special Magistrate and Cindy Jones, Recording Secretary and respondents were present.

Cindy Jones was sworn in as a representative of the City by the Special Magistrate.

SM-030-99 Walter Graham, Jr. (Deceased) and Gloria Welcome, 706 Lawrence Street. Cindy Jones gave a history of the file involving numerous derelict vehicles and motor parts. Gloria Welcome was present and advised that her husband had passed away in April, 2000. Ms. Welcome stated that the property had been cleaned within four days of her husband's funeral.

Cindy Jones stated that Mr. Dixon had inspected the property and found it to be in compliance.

Order for Reduction of Fine: The fines/costs associated with the file in the total amount of \$174,624.91 (3,489 days x \$50.00 per day + \$174.91 in costs) shall be reduced to \$274.91 (representing a reduced fine of \$100.00 plus \$174.91 in costs) to be paid to the City of Wildwood, Building Services Department, 100 North Main Street, Wildwood, FL 34785 within thirty (30) days of the date of this Order.

Failure to pay the reduced fine of \$274.91 within thirty (30) days shall result in the fine reverting to its original amount of \$174,624.91 on the thirty-first day. Respondents shall also pay costs associated with the recording of a satisfaction of lien in the amount of \$18.50, for a total amount due the City of Wildwood of \$293.41.

SM-007-08 Ganesh T. Balcharan as Registered Agent for Allstar Cabinets & Granites Supply, Inc. and Rajesh & Nadira Balcharan, 3500 North US Highway 301. Cindy Jones gave a history of the case involving an unpermitted construction of a 5-bay carport and gate monument. Gary Falkener was present to represent the respondents.

Mr. Falkener stated that the architect, David King, had done a site inspection and is requiring that more bolts/brackets be added to the unpermitted construction as the ones that were used are too small. Mr. Falkener also stated that he believed the respondents had spent in the vicinity of \$2,000.00 to bring this site into compliance.

Cindy Jones reminded Mr. Falkener that the shed that was converted into an office at this location must be used as a shed in the future due to the fact that zoning does not allow for a business to be at this property.

Order of Enforcement: The fines in this case shall continue to be held in abeyance until the next meeting on August 4, 2009, at which time this case will return for hearing.

SM-005-09 Walter X & Norma G Novillo, 4989 SR 44, Lots 3 and 7. Cindy Jones gave a history of the file involving use of unlicensed persons to make repairs, failure to obtain permits and failure to request inspections. It was noted that the unsafe structure located on lot #7 has been demolished and the electrical permit was obtained for lot #3. The electrical permit was finalised out on May 29, 2009 Ms. Novillo was present and sworn in.

Order of Fine: Respondent shall pay the City of Wildwood, Building Services Department, 100 North Main Street, Wildwood, FL 34785 the sum of \$238.01 representing costs associated with the file.

With no further business to discuss, the meeting was adjourned at 2:35 p.m.

CITY OF WILDWOOD SPECIAL MAGISTRATE

Archie O. Lowry, Jr.